

STATE OF HAWAII DEPARTMENT OF HEALTH
ENVIRONMENTAL HEALTH ADMINISTRATION
OFFICE OF HAZARD EVALUATION AND EMERGENCY RESPONSE

REQUEST FOR COMPETITIVE SEALED

PROPOSALS (RFP) FOR

NON-EMERGENCY ENVIRONMENTAL SERVICES

Proposals will be received until 4:30 p.m. (HST) on January 31, 2005 in: The Hazard Evaluation and Emergency Response Office; 919 Ala Moana Boulevard, Room 206; Honolulu, Hawaii 96814-4920. Late proposals will not be considered.

Questions relating to this solicitation may be directed to Davis Bernstein at: telephone: (808) 586-4249; facsimile: (808) 586-7537, or e-mail: dbernstein@eha.health.state.hi.us

Pursuant to U.S. EPA grant guidelines, the Hazard Evaluation and Emergency Response Office encourages proposals from disadvantaged, small, minority-owned, and women-owned business enterprises. The legal ad for this RFP was posted on the State Procurement Office website on November 30, 2004.

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1 INTRODUCTION

1.1 BACKGROUND

The State of Hawai'i is responsible for protecting human health and the environment from releases or threats of releases of hazardous substances (Chapter 128D, HRS, Chapter 11-451, HAR). The Department of Health (DOH), Hazard Evaluation and Emergency Response Office (HEER Office) has been designated to carry out the State's responsibility in this area.

In fulfilling this responsibility, the HEER Office:

- Receives notifications of and responds to threats of releases and actual releases of hazardous substances and oil.
- Responds to oil spills on land and sea.
- Conducts complete removal and remedial actions including site assessment, remedy selection, and implementation.
- Disposes of material following illegal drug manufacturing, illegal dumping, and natural disasters.
- Implements the Voluntary Response Program, which allows interested parties to clean up contaminated property voluntarily with oversight from the State.
- Conducts official Preliminary Site Assessments and Brownfields Environmental Site Assessments under CERCLA.
- Gathers data and supporting information for the preparation of background papers on issues that pose potential and actual threats to human health and the environment.

In conducting these activities and tasks, the HEER Office requires access to a wide range of expertise including:

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|---|--------------------------------|
| - environmental engineering | - soil science |
| - human health and ecological risk assessment | - geology |
| - regulatory compliance | - report reviewing and writing |
| - policy development | - hydrology |
| - toxicology | - industrial hygiene |
| - biology | - community relations |
| - microbiology | - contract management |
| - ecology | - project coordination |
| - chemistry | - information management |

As such, the HEER Office is seeking a broad range of professional environmental services to assist in preventing and responding to non-emergency releases of hazardous substances. These services include, but are not limited to:

- 1) Investigating, assessing, and responding to hazardous releases.
- 2) Evaluating risks associated with releases of hazardous substances.
- 3) Supporting the information management needs of the HEER Office.
- 4) Reviewing and analyzing reports.
- 5) Conducting research and analysis to support environmental policies.
- 6) Other technical assistance to support the State's non-emergency response program.

1.2 SIGNIFICANT DATES

The following is an approximate schedule for awarding contracts pursuant to this Request for Competitive Sealed Proposals (RFP):

Announce RFP on SPO website	November 30, 2004
Optional offerors' meeting to discuss RFP	December 15, 2004
Deadline for submitting written questions	December 22, 2004
Internet posting of answers to questions	January 3, 2005
Proposals due not later than 4:30 p.m. HST	January 31, 2005
Proposal evaluations completed by	March 15, 2005
Complete discussions with priority list offerors	March 31, 2005
Announce contractor selections (approx.)	April 30, 2005
Issue notice to proceed (approx.)	June 30, 2005

1.3 OFFERORS' CONFERENCE

A meeting will be held on for interested Offerors to discuss the non-emergency environmental support services sought by the HEER Office. Those planning to attend must RSVP and provide the number of people by calling Davis Bernstein at 586-4651. The meeting will be held as follows:

DATE:	December 15, 2004
TIME:	2:00 p.m. – 4:00 p.m.
LOCATION:	919 Ala Moana Blvd.; Honolulu, HI 96814; 5 th Floor

1.4 WRITTEN QUESTIONS

The HEER Office will accept written questions regarding the RFP until close of business on December 22, 2004. Questions should be submitted in writing to Davis Bernstein by e-mail, fax, or letter. Responses to questions received will be posted on the HEER Office website by January 3, 2005:

<http://hawaii.gov/health/environmental/hazard/index.html>

1.5 OFFICIAL CONTACT PERSON

The official contact person for all communication regarding this Request for Competitive Sealed Proposals is:

Mr. Davis Bernstein
Department of Health
Office of Hazard Evaluation and Emergency Response
919 Ala Moana Boulevard, Room 206
Honolulu, Hawai'i 96814-4920
Telephone number: (808) 586-4249
Facsimile: (808) 586-7537
E-mail: dbernstein@eha.health.state.hi.us

1.6 CONFIDENTIALITY

As required by Hawaii Administrative Rules Section 3-122-58 Public Inspection, the proposals of all offerors "may be available for public inspection upon notice of award and shall be available for public inspection after the contract is signed by all parties." The exceptions to this public availability are "those portions the offeror designates in writing as trade secrets or other proprietary data to be confidential". The law also provides for appeals to material being designated as confidential. Offerors should identify very clearly which, if any, information is to be treated as confidential. To the extent that it is practical, Offerors should append or otherwise separate information they designate as confidential.

2 PERIOD OF PERFORMANCE

The initial period of the contract(s) may be from twelve (12) to eighteen (18) months and will be specified at the time the contract(s) is awarded. The contract(s) may be extended up to four (4) additional twelve-month periods, without re-solicitation, upon mutual agreement in writing prior to expiration of the contract and the execution of a supplemental agreement. The Contractor or the State may terminate the contract(s) or a supplemental agreement to extend the contract at any time by providing sixty (60) days prior written notice.

3 MINORITY-OWNED, WOMEN-OWNED, DISADVANTAGED & SMALL BUSINESS ENTERPRISES

Some of the projects performed under this contract will use funds provided under a federal grant from the U.S. Environmental Protection Agency (USEPA). It is USEPA's policy to require that recipients of the Agency's grants reach out to and encourage the participation of minority-owned (MBE), women-owned (WBE), disadvantaged (DBE), and small business (SBE) enterprises. The Department of Health welcomes proposals from all such firms as either primary contractors or subcontractors. In addition, prime contractors that are not in one of these business categories will be required to follow USEPA's guidelines for encouraging such firms to participate as subcontractors, if subcontractors are to be used.

For your information, the USEPA policy requires that DOH and prime contractors take the following six steps to encourage such participation: 1) Include qualified DBEs (Department of Transportation Projects only), SBEs, MBEs, and WBEs (D/S/M/WBE) on solicitation lists; 2) Assure that D/S/M/WBEs are solicited; 3) Divide total requirements, when economically feasible, into small tasks or quantities to permit maximum participation of D/S/M/WBEs; 4) Establish delivery schedules, where the requirements of the work permit, which will encourage participation by D/S/M/WBEs, 5) Use the services and assistance of the Small Business Administration and the Minority Business Development Agency, U.S. Department of Commerce, as appropriate, and 6) If the prime contractor awards contracts and procurements, require the contractor to take the first five affirmative steps.

Offeror's are not required to follow the USEPA guidelines in preparing their proposals. However, if DOH determines that you did not follow these guidelines, or their equivalent, in selecting subcontractors you propose to use under this contract, you *may* be required to re-solicit for subcontractors using the guidelines if you are selected for contract award.

4 PAYMENT

Award will be based on negotiated rates and payments will be made in accordance with the rates negotiated. The Contractor shall forward an original and two (2) copies of its invoice to the HEER Office by the 10th day of each month. The invoice will include a clear description of the specific work performed during the billing period, the people who performed the work, a detailed breakdown of the services, equipment, and materials utilized, and the costs associated with each of them. Section 103-10, HRS, provides that the State shall have thirty (30) calendar days from receipt of invoice or satisfactory delivery of goods or performance of services to make payment. For this reason, the State will reject any offer submitted with a condition requiring payment within a shorter period. Furthermore, the State will reject any bid submitted with a condition requiring interest payments greater than that allowed by Section 103-10, HRS, as amended.

5 SCOPE OF SERVICES

5.1 INTRODUCTION

The HEER Office is seeking assistance from qualified firms to support its non-emergency response program. Offerors shall recommend and perform the work subject to DOH HEER approval and oversight. Offerors shall provide and be responsible for all personnel, services, equipment, materials, and subcontractors used to perform the work. As a rough estimate, bidders can assume that items 1-7 in Section 5.2 will comprise approximately 75% of the non-emergency services needed.

5.2 NON-EMERGENCY RESPONSE SCOPE OF SERVICES

The Non-Emergency Response Firms shall provide services including but not limited to:

1. Accessible routinely by phone from 7:45 a.m. to 5:00 p.m., Monday through Friday inclusive, except for State holidays throughout the year. Accessible on an occasional basis for matters that do not constitute an emergency which are judged to require immediate attention seven days per week, 24-hours per day. An example would be an issue that needs to be resolved on a weekend to avoid costly delays in a sampling event scheduled to start on Monday.
2. Develop specific project work plans and cost estimates based on a general scope of work provided by a DOH Project Manager. Develop a sampling and analysis plan that includes a field sampling plan, health and safety plan, and a quality assurance plan.
3. Conduct and complete tasks related to Remedial Investigations, Remedial Alternatives Analyses, and Remedial Action Memorandums, and Removal Action Reports.
4. Perform human health and/or ecological risk assessments.
5. Characterize the nature and extent of hazardous substances at a site by using field sampling methods for: 1) soil sampling, 2) sediment sampling, 3) surface water and groundwater sampling, 4) soil-gas sampling, 5) ambient and indoor air sampling, and 6) biological samples including both plant and animal tissues. The methods used to obtain soil samples include but are not limited to: 1) hand augering, 2) push technology, 3) drilling, 4) ground penetrating radar, and 5) other geophysical investigation tools.
6. Conduct Environmental Site Assessments at specific Brownfields sites.
7. Provide sample analytical services with a turn-around time of 2 to 4 weeks upon receipt of the samples. Provide rush sample analysis when requested and/or approved by the HEER Office Project Manager.
8. Conduct hydrogeological studies that may include: 1) monitoring well installation, 2) groundwater monitoring program, 3) groundwater analyses, 4) contaminant plume delineation, 5) groundwater gradient flow and direction determination, 6) fate and transport modeling, 7) monitoring well closure, 8) vertical profiling, and 9) ground water modeling.

9. Provide data validation and summary analyses.
10. Provide data in formats specified by the HEER Office Project Manager using Excel, Access, and other appropriate and approved software.
11. Utilize Geographical Information System (GIS), AutoCAD, and other approved methods for work related to site assessments and investigations.
12. Utilize statistical environmental methods to design optimal sampling plans.
13. Utilize Field Analytical Techniques to optimize the collection of contaminant data.
14. Mobilize and use heavy equipment (i.e., backhoe, dozer, etc.) in conducting a response action.
15. Remove contaminated soils from a site, transport contaminated soils, profile and dispose of contaminated soils at a landfill, or treat contaminated soils at a permitted treatment facility.
16. Provide technical assistance regarding investigations and response actions for Voluntary Response Program and Brownfields Program projects.
17. Conduct Preliminary Site Assessments and Site Inspections (PA/SI) under CERCLA that include writing Sampling and Analyses Plans, following Contract Laboratory Program (CLP) Guidelines, and applying the EPA Hazard Ranking System.
18. Serve as expert witnesses in court cases.
19. Provide document reviews of response action tasks.
20. Compile, manipulate, evaluate, and interpret data extracted from the HEER Office database.
21. Provide public outreach and community relations' support to the HEER Office.
22. Provide information and analysis in support of environmental policy development by the Department of Health.
23. Perform non site-specific tasks related to prevention and response activities to protect human health and the environment.
24. Provide training to DOH staff and others on matters related to the non-emergency response needs of DOH.

6 SPECIFIC MANDATORY INFORMATION REQUESTS

6.1 INTRODUCTION

This section contains three specific information requests described below in sections 6.2, 6.3, and 6.4. It is mandatory that offerors respond to all three requests in their proposals. Proposals may be rejected for failure to do so. A summary of the information requests is as follows:

- 1) A Non-Emergency Response Sample Project Proposal recommending activities in response to the fictitious scenario presented in Section 6.2.
- 2) Responses to the series of specific questions regarding items important to DOH in Section 6.3.
- 3) One sample report from offeror's previous work of each of the following:
a) ASTM Phase I Environmental Site Assessment, b) Remedial Site Investigation, c) Analysis of Remedial Action Alternatives, and d) Human Health Risk Assessment.

6.2 NON-EMERGENCY RESPONSE SAMPLE PROJECT PROPOSAL

Offerors should assume that they are providing this information in response to a request for assistance from DOH.

- 1) The intent of this Sample Project is for Offerors to demonstrate their understanding and approach to responding to environmental releases. The goals of the project are to: 1) perform whatever investigations are deemed necessary, 2) identify and develop information needed to make key decisions, and 3) conduct any cleanup activities that are necessary to comply with regulatory requirements and to protect human health and the environment.
- 2) At a minimum, Offerors must respond to the scenario described below by:
 - a. Presenting their overall approach to addressing the situation.
 - b. Formulating appropriate data quality objectives (DQOs).
 - c. Presenting their specific response action including all activities to be taken, plans to be developed, and relevant time schedules.
 - d. Describing all equipment, supplies, subcontractors, and other services that need to be acquired to complete the project.
 - e. Including a list of protocols and/or standard operating procedures suggested for use.
 - f. Estimating the cost to respond to the situation.
- 3) Sample Project proposals should be approximately 5-10 pages in length including attachments, if any.
- 4) Failure to submit this Sample Project Proposal is sufficient ground to disqualify an Offeror from further consideration.

Scenario for Sample Project Proposal

While running on a nearby street in the residential area where she lives, Malia notices six 55-gallon barrels in a vacant lot. Upon examination (she pulls the weeds apart), she can see that two of the drums are faintly labeled "Waste Oil" with some being empty (lying on their side) and some partially filled with evidence of spillage on to the ground. Even with the weedy condition of the surrounding area, Malia can see that near these six drums is a large area with stained soil. Some of the staining is contiguous and some of it occurs in spots several feet in diameter at varying distances from the six drums.

Malia notes that the barrels are within 15 feet of her favorite stream that traverses the vacant lot. Mary is aware of the need to contact the Hazard Evaluation and Emergency Response (HEER) of the Department of Health (DOH) to report the problem. As she departs the area she notices a faint petroleum odor that disappears as she walks off the vacant lot. Malia calls the HEER Office and tells them about what she has observed.

The HEER Office State On Scene Coordinator (SOSC) goes out to the site, verifies what was described, and determines that the partially filled drums contain waste oil. The SOSC secures the partially filled drums and has them removed by an emergency response contractor. The SOSC secures the site with tape and signs warning people to stay clear. The SOSC concludes that no further *emergency* response action is required.

During the site inspection, the SOSC noted that residential homes surround the vacant lot and there is a public drinking water well about 300 feet away from the site. The SOSC files a report stating that while the emergency aspects of the situation have been addressed the site needs to be investigated further by the Site Discovery and Remediation Section of the HEER Office. The DOH Project Manager requests your assistance to address the situation at the site.

6.3 QUESTIONS REGARDING ITEMS IMPORTANT TO DOH

Offerors should respond concisely to each of the following questions. Responses should not exceed one page of double-spaced text or one-half page of single-spaced text each. Failure to respond may be grounds for rejecting your proposal.

- 1) How would you assure that reports are technically correct, well organized, and adequate to support DOH decision making?
- 2) How do you manage projects to assure: use of appropriate personnel, minimal labor hours, control of costs, and delivery of work according to schedule? Provide any statistics you maintain that demonstrate a consistent ability to complete projects as planned.
- 3) What do you see as the most important attributes of a DOH non-emergency support contractor?
- 4) What would you do if a DOH Project Manager were to instruct you to make changes in a work plan or to perform work that you feel is technically inappropriate to the situation?

- 5) How, if at all, does providing non-emergency response support to DOH differ from providing similar services to your non-governmental clients?
- 6) How can you facilitate DOH's need to oversee your work including: keeping current on progress, matching invoices to work performed during the billing period, assuring use of professional staff appropriate to the tasks, and assuring that DOH is billed only for work performed?
- 7) Give an example from your work that demonstrates your ability to apply creative and innovative approaches to conducting environmental investigations, optimizing data collection, and evaluating remedial action alternatives.
- 8) How can you assist DOH in controlling costs while performing the work needed? Give an example from your work that demonstrates your ability to minimize costs while accomplishing a project's objectives.
- 9) Describe your experience using environmental statistical methods to design optimal sampling plans for field investigations.
- 10) Describe your experience using Field Analytical Methods when conducting field investigations.

6.4 SAMPLE REPORTS OF OFFEROR'S PREVIOUS WORK

Offerors should submit four reports that exemplify their work, or the work of their subcontractor(s), in each of four areas of important non-emergency response support. That is, one report for each of the following four areas of support:

- 1) ASTM Phase I Environmental Site Assessment
- 2) Remedial Site Investigation
- 3) Analysis of Remedial Action Alternatives
- 4) Human Health Risk Assessment

Unless a report is part of the public record, Offerors should obtain permission from clients whose work they may want to submit and/or indicate that DOH should treat the sample report as confidential material. Offerors may also delete or mask material in a report that refers to specific clients or sites.

7 PROPOSAL REQUIREMENTS

7.1 INTRODUCTION

One of the objectives of this RFP is to make proposal preparation easy and efficient, while giving Offerors ample opportunity to highlight their qualifications. The evaluation process must also be manageable and effective. When an Offeror submits a proposal, it shall be considered a complete plan for providing the non-emergency response support services described in this request. Proposals should be straightforward and concise, describing the Offeror's capabilities as completely as possible according to the format given in Section 7.3. Bidders are cautioned that reviewers may reject confusing

and unclear offers of any item(s) to avoid any errors in interpretation during the evaluation process. Part, or all, of this RFP and the successful proposals may be incorporated into the contract.

7.2 ORIGINAL PROPOSAL AND COPIES TO BE SUBMITTED

Offerors should submit their typed proposals on 8.5"x11" paper. Each page of the proposal should contain a header or footer identifying the section, page number, and offeror's name. One (1) original and five (5) hard copies of the proposal shall be submitted in the format specified below, along with an electronic copy on a compact disk. Offerors should submit only one set of sample documents in response to SECTION 6.4 SAMPLE REPORTS OF OFFEROR'S PREVIOUS WORK.

The original proposal shall be clearly marked "ORIGINAL" and copies shall be clearly marked "COPY" on the upper right hand corners of the cover pages. It is imperative that Offerors submit only one original and the required number of copies. Please do not submit more than one original. Also, please note that faxed material will not be accepted. The State will not reimburse Offerors for any costs associated with developing, submitting, presenting, or negotiating proposals in response to this RFP. The original and copies shall be submitted in a sealed envelope(s)/box to

Davis Bernstein
Office of Hazard Evaluation and Emergency Response
919 Ala Moana Boulevard, Room 206
Honolulu, Hawai'i 96814-4920

7.3 PROPOSAL FORMAT AND CONTENT

Proposals must be bound and organized into sections with tabs separating each section described below. Three-ringed binders are acceptable.

- Offerors' form letter (provided at the end of RFP)
- Special forms
 - Tax clearance form
 - Proof of liability insurance
 - Certificate of compliance from Department of Labor and Industrial Relations
 - Certificate of Good Standing from Department of Commerce and Consumer Affairs
- Qualifications of firm staff available to this contract
- Sample project proposal for non-emergency scenario
- Responses to questions regarding items important to DOH
- Rate schedule and price list
- Four sample project reports (one copy of each; may be submitted separately)

The HEER Office will evaluate offers using the criteria provided in Section Eight of this

RFP. Offerors are advised to review the evaluation criteria and to provide all information necessary to allow the HEER Office to evaluate their proposal based on these criteria.

7.3.1 OFFEROR'S FORM LETTER

Offerors are requested to submit their offer using the Offer Form Letter attached to this RFP. Offerors are to provide their exact legal name as registered with the Department of Commerce and Consumer Affairs. Failure to do so may delay proper execution of the contract. The Offeror's authorized signature on the "original" proposal shall be an original signature in ink. The person signing the Offer Form must have the authority to make such offers on behalf of the Offeror. If the Offer Form is unsigned or the signature is a facsimile or a photocopy, the offer shall be automatically rejected.

7.3.2 SPECIAL FORMS REQUIRED

7.3.2.1 Tax Clearance (Offerors and Subcontractors)

Offerors shall submit an original or certified copy of a tax clearance certificate issued by the Hawai'i State Department of Taxation (DOTAX). This form and instructions are available from the DOTAX website at: <http://www.state.hi.us/tax/alphalist.html>.

Each subcontractor, if any, is also required to submit an original or certified copy of a tax clearance certificate.

7.3.2.2 Proof of Liability Insurance

Offerors shall submit proof that they carry a minimum of \$1,000,000 liability insurance. This proof of insurance may be a letter or form from the Offeror's insurance carrier.

7.3.2.3 Department of Labor and Industrial Relations Certificate of Compliance

Offerors shall submit an approved form LIR#27 from the Department of Labor and Industrial Relations certifying that the Offeror is in compliance with State labor laws. This form may be obtained from the Department of Labor and Industrial Relations website at: <http://www.dlir.state.hi.us/>.

7.3.2.4 Certificate of Good Standing from Department of Commerce and Consumer Affairs

Offerors shall submit an approved Certificate of Good Standing. This certificate may be requested and purchased from the Department of Commerce and Consumer Affairs website at: <http://www.businessregistrations.com/>

7.3.3 QUALIFICATIONS OF FIRM STAFF AVAILABLE TO THIS CONTRACT

As a minimum, the qualifications and the firm and staff should include the following:

- The firm's principal place of business and location of all its offices.
- Age of firm and its average number of employees over the past three years.
- The education, training, and qualifications of key employees (i.e. resumes).
- The proposed primary point of contact for DOH regarding the contract.
- Experiences in work related to the Scope of Services (Section Four).
- The names and phone numbers of up to five clients who may be contacted as references, including at least two from the preceding year.
- Promotional or descriptive literature the firm desires to submit.

If you plan to utilize the assistance of other parties outside of your firm (without compensation) or plan to subcontract (with compensation), a statement of intent to do so must be included. The identity, qualifications, and roles of the subcontracted parties should be described. Include the estimated percentage of assistance or subcontracting in relation to your own firm. The rates for all subcontractors, as well, as the cost of managing subcontractors must be shown in the cost summary. If a subcontractor is a minority-owned, woman-owned, or small business, a statement to that effect should be included. Please refer to Section Three regarding the selection of subcontractors. Please note that if you have not followed the USEPA guidelines for encouraging minority-owned, woman-owned, or small business participation, or their equivalent, in selecting subcontractors you *may* be required to re-solicit them using the guidelines if you are awarded a contract under this RFP.

Each assistant or subcontractor must submit a price list and a statement, signed by an individual authorized to legally bind the subcontractor, and stating:

- 1) Name, address, telephone number, fax number, and contact person.
- 2) The general scope of work to be performed by the subcontractor.
- 3) The subcontractor's willingness to perform the work indicated.

7.3.4 SAMPLE PROJECT PROPOSAL FOR NON-EMERGENCY SCENARIO

To respond to the sample project proposal described in Section 6.2, explain how the firm intends to conduct the response and submit a cost breakdown for all staff, services, materials, subcontractors, and equipment necessary to conduct the response. Offerors should be responsive to the goals and instructions described in Section 6.2.

7.3.5 RESPONSES TO QUESTIONS REGARDING ITEMS IMPORTANT TO DOH

Offerors should respond concisely and thoughtfully to the questions posed in Section 6.3. Responses to each question should not exceed one page of double spaced text or one-half page of single spaced text.

7.3.6 FOUR SAMPLE PROJECT REPORTS (ONE COPY EACH)

Offerors should provide a report that can serve as a representative sample of their work, or the work of their subcontractors, in each of the four important areas of non-emergency support listed in Section 6.4: 1) ASTM Phase I Environmental Site Assessment, 2) Remedial Investigation, 3) Analysis of Remedial Alternatives, and 4) Human Health Risk Assessment. These should be reports of actual work that Offerors, or their subcontractors, conducted within the last three years. Offerors should obtain permission from clients to submit their reports, delete confidential material, or indicate that DOH is to treat the report(s) as confidential business material.

7.3.7 RATE SCHEDULE AND PRICE LIST

Offerors should furnish their proposed rates and price list for labor, equipment, and other items anticipated to be used for the activities identified in this RFP, including any costs for subcontractors as well. If your firm is awarded a contract, your proposed schedule rates may be used in the award fee rates.

8 EVALUATION PROCESS AND CRITERIA FOR SELECTION OF CONTRACTORS

8.1 PROCESS FOR CONTRACTOR SELECTION

An Evaluation Committee will be used to evaluate proposals in accordance with the criteria describe in Section 8.3.2. Each proposal will be reviewed and assigned a numerical score by each member of the Evaluation Committee. The scores of all evaluators will be averaged and the average scores will be used to provide a rank ordering of the proposals. The Evaluation Committee shall identify a Priority Offerors List comprised of the 3-5 Offerors receiving the highest scores. The HEER Office intends to use this Priority Offerors List to select two contractors. One will be designated as the "Primary Contractor" and the other will be designated as the "Secondary Contractor". A more detailed description of the selection process follows.

Public Notice. The DOH HEER Office will publish a Public Notice of the Request for Competitive Sealed Proposals (RFP) on the website of the State Procurement Office under Procurement Notices. Interested parties may download a copy of the complete RFP from either of the following SPO or HEER Office websites:

HEER Office: <http://www.hawaii.gov/health/environmental/hazard/index.html>.

SPO: <http://www2.hawaii.gov/bidapps/ShowBids.cfm> - Table.

Alternatively, interested parties may request that a copy be mailed to them. Any revisions to the RFP will be made to the posting on the HEER Office website and mailed to those requesting copies.

Offerors Conference. After the RFP is made available through public notice and before the date by which proposals must be submitted, the HEER Office will convene an Offerors Conference to answer questions about the nature of the support services required, the proposal requirements, and the terms of the contract. Offerors are strongly encouraged to attend this conference.

The Evaluation & Selection Committees. The Evaluation Committee shall consist of at least three employees from the DOH, HEER Office, or from other governmental bodies with sufficient education, training, and experience to properly evaluate Offerors' proposals. The Evaluation Committee will evaluate the proposals using the criteria presented in Section 8.3. The Evaluation Committee may conduct confidential discussions with a qualified representative(s) of a firm to clarify the services they are able to provide. The Selection Committee shall consist of the HEER Office Manager and 1-3 other individuals. The HEER Office Manager shall be the Selecting Official.

Priority List Offerors. The Evaluation Committee shall review each proposal according to the evaluation criteria in Section 8.3 and assign a numerical score to each proposal. The highest ranked 3-5 Offerors will constitute the Priority List Offerors. The Priority List will then be given to the Selection Committee. The Selection Committee will further evaluate the Priority List Offerors. From the Priority List Offerors, the HEER Office Manager intends to select two (2) contractors with which to enter into non-emergency environmental response support contracts. These two final contractors will be referred to as the Final Non-Emergency Environmental Response Contractors.

Discussions With Priority List Offerors. At their discretion, the Office Manager and members of the Selection Committee will discuss the non-emergency environmental services proposals and contract rates with Offerors on the Priority Offerors List. On the basis of these discussions, DOH may request that Offerors submit their Best and Final Offers. Priority List Offerors will receive fair and equal treatment with respect to any opportunity for discussions and revisions to their proposals. However, discussions are not required and Offerors may or may not be selected solely on the basis of the proposals that they submit.

Selection of Primary and Secondary Contractors. The HEER Office Manager intends to select two contractors to be the Final Non-Emergency Support Contractors. One contractor will be designated as the Primary Contractor and the other contractor will be designated as the Secondary Contractor. These selections will be based on the proposals submitted, discussions with Priority List Offerors if held, Best and Final Offers submitted by the Offerors, and information received from Offeror references.

DOH Final Approval. Any agreement arising out of the selection process and subsequent negotiations is subject to the approval of the Department of the Attorney General as to form, and to all further approvals required by statute, regulation, rule, order, or other directive. Project funds will be available to the Final Non-Emergency Environmental Response Contractors only after contracts between each of the contractors and the Department of Health have been fully executed, and an official Notice to Proceed is issued.

Primary and Secondary Contractor Relationship. The Primary and Secondary contractors will have a hierarchical relationship as it relates to performing non-emergency support services for the HEER Office. The purpose for engaging a primary and a secondary contractor is to assure that necessary support services are available in the event that the Primary Contractor has either a conflict of interest with a particular project or lacks sufficient resources to undertake a particular project. If either of these conditions applies, the Primary Contractor will be required to notify the HEER Office in writing that it cannot accept a particular assignment and to specify the reasons for declining the assignment.

Should the HEER Office Manager question the primary contractor's capacity to perform certain work, he or she may request that the Primary Contractor demonstrate that it has sufficient resources to complete work within a specified time frame. If the Primary Contractor is unable to demonstrate its capacity to do the work to the satisfaction of the HEER Office Manager, he or she may document the finding and direct that the Secondary Contractor perform the work.

8.2 AUTHORIZING CONTRACTORS TO PERFORM WORK

When the HEER Office identifies a need for non-emergency support services, the work will be authorized according to the following process:

- 1) A HEER Office project manager will prepare a Work Request describing the work needed and send it to the Primary Contractor.
- 2) The Primary Contractor will respond to the Work Request by preparing a Project Proposal within ten (10) working days that provides: 1) a description of the scope of work, 2) a detailed description of the tasks to be performed, 3) the deliverables associated with each task, 4) the proposed schedule for completion, and 5) a detailed estimate of the costs.
- 3) The HEER Office project manager will either accept the Project Proposal as written or provide comments and negotiate changes with the Contractor.
- 4) Once the Primary Contractor completes an acceptable Project Proposal, the project manager will prepare an official Work Assignment and Purchase Order for the HEER Office Manager's approval.
- 5) Once approved by the HEER Office Manager, the project officer will provide the Contractor with a copy of the signed Work Assignment and purchase order. The Contractor should not incur any costs associated with the Work Assignment until the HEER Office Manager has approved the project.
- 6) Upon receiving the approved Work Assignment and Purchase Order, the contractor shall initiate the work in accordance with the approved Work Assignment.

8.3 EVALUATION CRITERIA

8.3.1 MINIMUM CRITERIA FOR PROPOSAL RESPONSIVENESS

At the discretion of DOH, the following may be justification for rejecting a proposal:

- 1) Submitting incomplete documents or failure to submit an original signature.
- 2) Failure to respond to the Sample Scenario in Section 6.2
- 3) Failure to respond the List of Questions in Section 6.3.
- 4) Failure to provide sample reports as described in Section 6.4
- 5) Failure to provide a price/rate list for material, labor, and equipment
- 6) Unfavorable references. (Note: The HEER Office reserves the right to seek additional references in addition to those submitted in the proposal.)

8.3.2 PROPOSAL EVALUATION CRITERIA

The proposals will be evaluated in accordance with the following criteria and total possible points:

- 1. Qualifications/Experience (35 points)**
 - a. Previous experience with similar work.
 - b. Qualifications and number of staff available to this contract.
 - c. Accessibility of Offeror to the HEER staff.
 - d. Ability to conduct projects on Oahu and neighbor islands.
 - e. Ability to complete projects on schedule and within the estimated budget.
 - f. Appropriate use of subcontractors to optimize responsiveness while avoiding over dependence on subcontractors.
- 2. Technical Abilities (40 points)**
 - a. Ability to perform the functions presented in the Scope of Services.
 - b. Ability to understand and respond to the needs of HEER Office.
 - c. Ability to assure consistency with DOH guidelines and policies, and all federal and state requirements.
 - d. Ability to apply proper investigative and cleanup techniques, as well as statistical analyses, in response to complex environmental releases.
 - e. Ability to develop creative and innovative approaches to conducting environmental investigations, optimizing data collection, and selecting remedial action alternatives.
 - f. Ability to exercise and express professional judgment in formulating sound recommendations that account for technical factors, regulatory/statutory

requirements, and institutional considerations.

- g. Ability to prepare reports that are clear, concise, well organized and technically accurate.
- h. Ability to provide technical review and/or oversight in support of the HEER Office.

3. Cost (20 points)

- a. Ability to assure that staff at the appropriate professional level are assigned to each task.
- b. Ability to assure that billing is associated with the professional level required for the task.
- c. Reasonableness of proposed budget for the sample scenario in Section 5.2.
- d. Reasonableness in proposed schedule rates.
- e. Innovativeness in ensuring best pricing.
- f. Cost charged for managing subcontractors.

4. Other (5 points)

- a. Efforts to encourage and utilize Small, Disadvantaged, Minority-Owned, and Women-Owned Business Enterprises.
- b. Overall quality and presentation of proposal.

EXHIBIT A – OFFEROR'S FORM LETTER

Mr. Davis Bernstein
State of Hawai'i Department of Health
Office of Hazard Evaluation and Emergency Response
919 Ala Moana Blvd., Room 206
Honolulu, Hawai'i 96814-4920

RE: Hazard Evaluation and Emergency Response Office Competitive Sealed Proposals for Non-Emergency Environmental Services

Dear Mr. Bernstein:

We have carefully read and understand the terms, conditions, and requirements specified in the Request for Competitive Sealed Proposals (RFP) for Non-Emergency Environmental Services and the General and Special Conditions, incorporated by reference into this offer. We hereby submit the following offer to perform the work specified in the RFP. We further understand and agree to the following:

1. By submitting this offer, the undersigned is declaring that this offer complies with Chapter 84, Hawaii Revised Statutes, concerning prohibited State contracts.
2. By submitting this offer, the undersigned is declaring that the prices submitted were independently arrived at without collusion.
3. The Director of Health reserves the right to cancel this request for proposals at any time and all proposals may be rejected in whole or part when it is determined to be in the best interest of the State.
4. Discussions may be conducted with Offerors who have submitted proposals and have a reasonable possibility of being selected for award. However, a selection may be made with no such discussions.
5. Awards, if any, will be made to the parties who have submitted the most advantageous offer in accordance with the evaluation criteria set forth in this Request for Proposals.
6. If awarded the contract, the undersigned will comply with all requirements for wages, hours, and working conditions in accordance with Section 103-55, Hawai'i Revised Statutes.

7. The Department of Health (Department) may, at its discretion, award separate contracts to perform certain projects to support its non-emergency response program that are not clearly within the scope of this general support contract, or for which the undersigned cannot demonstrate to the satisfaction of the Department that it has the in-house expertise and resources needed to complete the project. An example of such a project involves the comprehensive revision of the HEER Office Technical Guidance Manual (TGM).
8. The undersigned understands that this particular project is excluded from the scope of this Request for Competitive Sealed Proposals (RFP) for Non-Emergency Environmental Services.
9. From this RFP, the Department plans to select a Primary and a Secondary Contractor. Work will be assigned to the secondary contractor only when the primary contractor has a conflict of interest or lacks the capacity to perform work in the timeframe required.
10. Pursuant to U.S. EPA grant guidelines, the Hazard Evaluation and Emergency Response Office encourages proposals from disadvantaged, small, minority, and women-owned business enterprises. Offerors identifying subcontractors in their proposals may be required to re-solicit for subcontractors using a process equivalent to the U.S. EPA guidelines described in the RFP.

The undersigned hereby certifies that the proposal attached has been carefully checked and is submitted as correct.

Respectfully submitted,

Exact Legal Name of Offeror (Company Name)

Authorized Signature (Original)

Date

State of Hawai'i General Excise Tax (GET) Identification Number

Federal Taxpayer Identification Number

Type of Organization:

☐ Individual ☐ Partnership ☐ Corporation ☐ Joint Venture
☐ Minority Owned ☐ Woman Owned ☐ Small Business

If offerer is a "dba" or a division of a corporation, furnish the exact legal name of the

corporation under which the contract, if awarded will be executed:

State of Incorporation: Hawai'i _____ Other: _____

Point of Contact for Matters Regarding this Proposal:

Name

Phone Number

E-mail Address

Fax Number